

REMARKS/ARGUMENTS

Favorable reconsideration of this application, as presently amended and in light of the following discussion, is respectfully requested.

Claims 15-28 are currently pending in the application. Claims 15, 19, 20 and 25 are amended; and Claim 29 is canceled without prejudice or disclaimer by the present amendment. Support for the amended claims can be found in the original specification, claims and drawings.¹ No new matter is presented.

In the Office Action, Claims 15-17, 19-22 and 25-27 are rejected under 35 U.S.C. § 103(a) as unpatentable over Lee (U.S. Pub. 2003/0234799) in view of Fedorovskaya et al. (U.S. Pub. 2003/0156305, herein Fedorovskaya); Claims 28-29 are rejected under 35 U.S.C. § 103(a) as unpatentable over Lee in view of Fedorovskaya and Stern et al. (U.S. Pub. 2002/0047828, herein Stern); and Claims 17 and 26-27 are rejected under 35 U.S.C. § 103(a) as unpatentable over Lee in view of Good et al. ("Automatic Text Reduction for Changing Size Constraints," pp. 798-799, herein Good) and Fedorovskaya.

The Office Action rejects Claims 15-17, 19-22 and 25-27 under 35 U.S.C. § 103(a) as unpatentable over Lee in view of Fedorovskaya, and Claims 28-29 under 35 U.S.C. § 103(a) as unpatentable over Lee in view of Fedorovskaya and Stern. Applicants respectfully traverse these rejections, as independent Claims 15, 19 and 20, which are amended to incorporate the features of canceled dependent Claim 29, recite novel features clearly not taught or rendered obvious by the applied references.

Amended independent Claim 15, for example, recites, in part, a method for operating a display device, comprising:

capturing an image of a user;
... *deriving a view angle of the user* with respect to the display from
said image of the user;

¹ Support for amended Claims 15, 19 and 20 can be found at original Claim 6, and at p. 3, ll. 29-36, p. 4, ll. 15-26 of the specification; and support for amended Claim 25 can be found at least at Fig. 2B of the specification.

changing a display mode for displaying display information on said display depending on said user position information, wherein in said display mode an amount of said displayed display information depends on said user position information and ***the view angle of the user is compensated for...***

Independent Claims 19 and 20, while directed to alternative embodiments, are amended to recite similar features. Accordingly, the remarks and arguments presented below are applicable to each of independent Claims 15, 19 and 20.

In rejecting dependent Claim 29, which recited that “from said image of the user, a view angle of the user with respect to the display is derived, and wherein in said display mode, the view angle of the user is compensated”, the Office Action relies on Lee in view of Fedorovskaya and Stern. The Office Action, however, fails to explicitly address the above noted claimed feature recited in Claim 29 of compensating a display mode based on a view angle of the user.

Moreover, Applicants respectfully submit that Lee, Fedorovskaya and Stern, even if combined, fail to teach or suggest “***deriving a view angle of the user*** with respect to the display from said image of the user” and that “***the view angle of the user is compensated for***”, as recited in amended independent Claim 15.

Turning to the applied primary reference, Lee describes a method for adjusting a size of an image in a computer system when the distance between the display apparatus 10 and the user is changed. As noted at paragraph [0030] and Figs. 5-6 of Lee, the size of the same piece of information may be changed based on a detected user’s location. At paragraph [0029], Lee describes that the computer system includes the display apparatus 10 and a distance sensor 11, which senses a distance between a user and the display apparatus.

Fedorovskaya, one of the applied secondary references, describes a method for capturing a user’s reaction during the process of image viewing an image, and interpreting the user’s reaction in terms of degree of preference, importance, or a certain emotional

category for subsequent association of this information and with a specified image.² Further, paragraph [0055] of Fedorovskaya describes a process of determining the distance between a user's eyes and comparing this distance to the maximum distance between the corners of a user's mouth in order to determine a user's reaction to an image.

Finally, Stern, another applied secondary reference, merely describes a process of presenting a user with a plurality of color tests in order to determine a user's interpretation of colors.³

Therefore, Lee, Fedorovskaya and Stern, even if combined, fail to teach or suggest that a viewing angle of a user is derived from an image of a user, and that this view angle is compensated for. More particularly, the applied references fail to teach or suggest “*deriving a view angle of the user* with respect to the display from said image of the user” and that “*the view angle of the user is compensated for*”, as recited in amended independent Claim 15.

Accordingly, Applicants respectfully request that the rejection of Claims 15 (and the claims that depend therefrom) under 35 U.S.C. § 103 be withdrawn. For substantially similar reasons, it is also submitted that Claims 19 and 20 (and the claims that depend therefrom) patentably define over Lee, Fedorovskaya and Stern.

The Office Action also rejects Claim 25 under 35 U.S.C. § 103(a) as unpatentable over Lee in view of Fedorovskaya. In response to this rejection, Applicants respectfully submit that amended dependent Claim 25 recites novel features clearly not taught or rendered obvious by the applied references.

Claim 25 ultimately depends from Claim 15 and recites that

said display items are represented by graphical symbols *represented by picture elements*.

² Fedorovskaya, paragraph [0025].

³ Stern, paragraph [0012].

In rejecting dependent Claim 25, the Office Action relies on Figs. 5-6 of Lee, noting that Lee “further shows words”. In contrast, Claim 25, as noted above, is amended to recite that the graphical symbols include *picture elements*, as shown by the image in Fig. 2B, for example.

Moreover, as noted above, Fedorovskaya merely discloses obtaining a user’s reaction to displayed images and fails to teach or suggest modifying display items, such as *picture elements*, as recited in dependent Claim 25.

Accordingly, Applicants respectfully request that the rejection of Claim 25 under 35 U.S.C. § 103 be withdrawn.

As noted above, the Office Action rejects Claim 28 under 35 U.S.C. § 103(a) as unpatentable over Lee in view of Fedorovskaya and Stern. Applicants respectfully traverse this rejection, as dependent Claim 28 recites novel features clearly not taught or rendered obvious by the applied references.

Claim 28 depends from Claim 15 and recites that

said display information comprises display items, and wherein *in said display mode, a saturation of a color for displaying at least one of the display items depends on said user position information.*

In rejecting Claim 28, the Office Action cites paragraph [0023] of Stern and asserts that “one skilled in the art ... would reasonably be expected to draw the inference from *Stern et al.* that a saturation of a color for displaying at least one display item could depend on user position information to determine ‘...the optimal viewing distance.’” Stern, however, fails to teach or suggest that the saturation of a color depends on a viewing distance, whatsoever.

Paragraph [0023] of Stern, cited in the Office Action, describes that a user 20 determines their proper viewing distance using an installation program that will ask the user to select a viewing distance. The method includes displaying any one of a number of standard test patterns that are known in the art and asking the user to identify them. The

optimal viewing distance is then set slightly closer than the farthest distance at which the user is able to correctly identify the test pattern.

Thus, this portion of Stern merely describes providing a visual test to the user to determine the proper viewing distance of the user, but this viewing distance is not used to change *a saturation of a color for displaying at least one of the display items* [based] *on said user position information*, as claimed. More particularly, if the saturation of color were to be determined after the proper viewing distance of the user is determined, then it is unclear how accurate the initial visual test to determine the proper viewing distance could be if the displayed image data changes.

Further, as described at paragraph [0028] of Stern, his color test is merely used to determine how a particular user “interprets” a color, so that the monitor color could be changed. This color modification is not related to the location of a user, and is not the same as changing *a saturation of a color for displaying at least one of the display items* [based on] *on said user position information*, as claimed. Specifically, merely altering a color based on a user’s “interpretation” is not the same as changing “*a saturation of a color for displaying at least one of the display items*”.

Therefore, Applicants respectfully submit that it would not have been obvious to one of ordinary skill in the art at the time of the invention to deduce from Stern, “that a saturation of a color for displaying at least one display item could depend on user position information to determine ‘...the optimal viewing distance’”, as asserted in the Office Action.

Therefore, Lee, Fedorovskaya and Stern, even if combined, fail to teach or suggest that “*in said display mode, a saturation of a color for displaying at least one of the display items depends on said user position information*”, as recited in dependent Claim 28.

Accordingly, Applicants respectfully request that the rejection of Claim 28 under 35 U.S.C. § 103 be withdrawn.

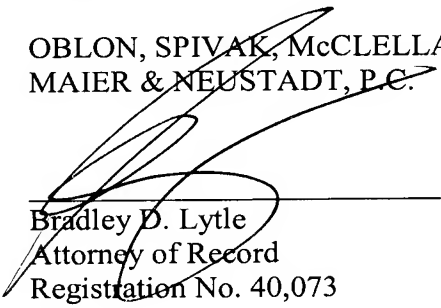
The Office Action rejects Claims 17 and 26-27 under 35 U.S.C. § 103(a) as unpatentable over Lee in view of Good and Fedorovskaya. As these claims each ultimately depend from one of amended independent Claims 15 and 20, Applicants respectfully submit that Claims 17 and 26-27 are patentable for at least the reasons discussed above. Further, Good fails to remedy the above noted deficiencies of Lee, Fedorovskaya and Stern.

Accordingly, Applicants respectfully request that the rejection of Claims 17 and 26-27 under 35 U.S.C. § 103 be withdrawn.

Consequently, in view of the present amendment and in light of the foregoing comments, it is respectfully submitted that the invention defined by Claims 15-28 is definite and patentably distinguishing over the applied references. The present application is therefore believed to be in condition for formal allowance and an early and favorable reconsideration of the application is therefore requested.

Respectfully submitted,

OBLON, SPIVAK, McCLELLAND,
MAIER & NEUSTADT, P.C.



Bradley D. Lytle
Attorney of Record
Registration No. 40,073

Customer Number

22850

Tel: (703) 413-3000
Fax: (703) 413 -2220
(OSMMN 08/07)

Andrew T. Harry
Registration No. 56,959